

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| FARBERWARE LICENSING COMPANY, LLC, | : | |
| | : | |
| Plaintiff, | : | |
| | : | 09-CV-2570 (HB and MHD) |
| – against – | : | |
| | : | ECF CASE |
| MEYER MARKETING CO., LTD., MEYER | : | |
| INTELLECTUAL PROPERTIES, LTD., and | : | |
| MEYER CORPORATION, US, | : | |
| | : | |
| Defendants. | : | |
| | : | |
| ----- | X | |

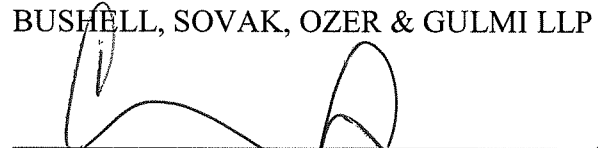
**PLAINTIFF’S NOTICE OF MOTION *IN LIMINE* TO
PRECLUDE DEFENDANTS MEYER INTELLECTUAL PROPERTIES, LTD., AND
MEYER CORPORATION, US’S EXPERT WITNESS BOBBY J. CALDER, PH.D.**

PLEASE TAKE NOTICE that, upon this Notice of Motion, the Declaration of Cem Ozer, dated July 15, 2009, with exhibits annexed thereto, and the accompanying Memorandum of Law, dated July 15, 2009, and the prior pleadings and proceedings herein, Plaintiff FARBERWARE LICENSING COMPANY, LLC (“FLC”), through its attorneys Bushell, Sovak, Ozer & Gulmi LLP, will move this Court before the Honorable Harold Baer, at Courtroom 23B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court, for an Order precluding Defendants MEYER INTELLECTUAL PROPERTIES, LTD., and MEYER CORPORATION, US (“Meyer”) from introducing the expert report and purported expert testimony of Bobby J. Calder, Ph.D. because they fail to meet the criteria for reliability under *Fed. R. Evid.* 702.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1(b), answering papers are to be served on the undersigned within ten (10) business days of service of this motion.

Dated: New York, New York
July 15, 2009

BUSHELL, SOVAK, OZER & GULMI LLP



Cem Ozer (CO 1718)
BUSHELL, SOVAK, OZER & GULMI LLP
60 East 42nd Street, Suite 2925
New York, New York 10165
Tel: 212-949-4700
Cozer@bushellsovak.com
Attorneys for Plaintiff
Farberware Licensing Company, LLC